

REMARKS

The application has been amended in a manner believed to place same in a condition for allowance as of the next Official Action.

Claims 1-25 were rejected under 35 USC 102(e) as anticipated by LEHMANN (2002/0107786). The Official Action makes reference to paragraphs 5-9, 18-23, 35-38, and 53-54 as representative of the teachings of the cited prior art. The Official Action states that other passages and Figures in the reference may also provide teachings relevant to the claimed invention.

The Official Action states that LEHMANN discloses a method and corresponding system and computer readable medium for online trading comprising simulation calculation service, a server system connected to a user terminal apparatus and a consultant terminal apparatus through a network, receiving a condition of the simulation calculation from the user terminal apparatus as a user presented condition, inquiring of the user terminal apparatus about whether the simulation calculation is to be executed on the basis of a selected bidding condition, and executing the simulation calculation in accordance with an answer to the inquiry. The Official Action makes reference to LEHMANN page 1, 5-9; page 2, 18-23; page 3, 35-38; and page 5, 53-54.

In response, it is noted that independent claims 1, 8, 12, and 25 have been amended in order to further clarify the invention. The amendments find support in the Figures and the specification as filed (for example, see page 14,

lines 10-13 and 25-27, and generally pages 32-35, 42-51, and Figures 1 and 6-12). The amendments do not introduce new matter.

As to claim 1, it is respectfully submitted that LEHMANN fails to disclose receiving a condition of a simulation calculation from a user terminal apparatus, inquiring of the user terminal apparatus about whether the simulation calculation is to be executed on the basis of a selected bidding condition, and executing the simulation calculation and storing a simulation calculation result on a computer readable medium, in accordance with an answer to the inquiry, wherein the simulation calculation is a discrete set of computer instructions and data representing physical properties of a physical system, the physical system specified by a portion of the condition, and the simulation calculation result is an analysis of the physical system, as recited in claim 1 as amended.

To the contrary, LEHMANN discloses a peer-to-peer application program providing an open market trading of goods in a computer network of users with pre-existing relationships. LEHMANN discloses selecting an aggregated plurality of offers for the trade of goods, corresponding to the user's viewing preferences, and executing a transaction should a user accept one of the presented offers. LEHMANN's transmissions between the parties (paragraph 0022 and 0023) to automatically clear and route the transaction (paragraph 0038), executed upon acceptance by the user, do not satisfy either the recitation of executing a simulation calculation or

the recitation of storing a simulation calculation result as recited in amended claim 1.

In LEHMANN, a system simulates auctioning "in the case where the seller's rule is to decrease the asking price to a best bid after a certain amount of time," (paragraph 0054). The simulation is a simulation of parties at an auction, not of the physical properties of a physical system as claimed. Furthermore, the auction only executes under circumstances when the system receives advance input from the counter-party to the user; auction simulation is not a necessary result either of a user inquiry, nor is it necessarily required for LEHMANN to carry out a transaction. Accordingly, LEHMANN does not disclose executing a simulation calculation, being a discrete set of computer instructions and data representing physical properties of a physical system, in response to an inquiry to the user, as recited in claim 1.

Accordingly, it is respectfully submitted that LEHMANN does not anticipate the invention as claimed in independent claim 1. It is therefore respectfully submitted that claim 1 and claims dependent therefrom are patentable. Reconsideration and withdrawal of the rejection under 35 USC 102 is respectfully requested.

It is respectfully submitted that amended claims 8, 12, and 25, and claims depending therefrom, are patentable for the same reasons as for claim 1 stated above. Reconsideration and withdrawal of the 35 USC 102 rejection of the claims are respectfully requested.

From the foregoing, it will be apparent that the applicant has fully responded to the June 19, 2007 Official Action. Applicants believe the present application is in condition for allowance and an early indication of the same is respectfully requested.

In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for applicant at the number set forth below if the Examiner is of the opinion that further discussion of this case is necessary.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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